



**STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Deborah Howell,  
Program Specialist 4 Social/Human  
Services (PS2266K), Department of  
Human Services

CSC Docket No. 2017-3175

Examination Appeal

**ISSUED: April 6, 2018 (AMR)**

Deborah Howell appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Program Specialist 4 Social/Human Services (PS2266K), Department of Human Services.

The subject examination was announced with a closing date of December 21, 2016 and was open, in part, to employees in the competitive division who have an aggregate of one year of continuous permanent service as of the closing date in any competitive title and have four years of experience in planning, monitoring, coordinating, implementing, modifying and/or evaluating a social or human services program, one year which shall have been in a supervisory capacity. It is also noted, that a Master's degree in a Social/Human services specialty area, Public or Business Administration, Child Advocacy and Policy, or Child Advocacy and Policy with a concentration in Public Child Welfare could be substituted for one year of non-supervisory experience. A total of twelve applicants applied for the subject examination that resulted in a list of three eligibles with an expiration date of July 12, 2019. There are currently no provisionals serving in the subject title.

The appellant indicated on her application that she has been serving as a Program Coordinator, Mental Health from July 2011 to December 2016, wherein she highlights the major duties she performs including supervising support staff and employee evaluations. She also indicated that she was an Acting Program Coordinator, Mental Health from May 2011 to July 2011, Behavior Support Technician from November 2008 to May 2011, Instructor Counselor from February 2007 to November 2008 and Senior Therapy Program Assistant from August 2006 to February 2007. A

review of the appellant's personnel record indicates that she was a Program Coordinator Mental Health from July 2011 to the closing date, a Behavioral Support Technician from November 2008 to July 2011 and an Instructor Counselor from June 2008 to November 2008. The appellant possesses a Bachelor's degree and a Master's degree in Counseling.

Agency Services credited the appellant with nine years and eleven months of general experience. She was additionally credited one year of non-supervisory experience per the substitution clause for education for possessing a Master's degree. Although Howell indicated supervisory experience on her application, Agency Services did not credit her with the required one year as these duties are considered to be out-of-title for incumbents in the Program Coordinator, Mental Health title.

On appeal to the Civil Service Commission (Commission), Howell outlines the duties she performs in her current title and how they compare to the specifications to the subject title, and includes her resume. She also states that she has been a direct supervisor since July, 2015 as a Program Coordinator, Mental Health. Howell also notes that she was deemed eligible for and received a passing score on the examination for Section Chief, Health Care Facility on December 13, 2016, which is considered to be a higher level title than the Program Specialist 4 Social/Human Services title.

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) states, in pertinent part, that applicants for promotional examinations with open competitive requirements may not use experience gained as a result of out-of-title work to satisfy the requirements for admittance to the examination or for credit in the scoring process.

In the present matter, Agency Services correctly determined that the appellant was not eligible for the subject examination as she did not meet the experience requirements by the December 21, 2016 closing date. Specifically, Agency Services credited Howell with nine years and eleven months of general experience and one year of non-supervisory experience per the substitution clause for possessing a Master's degree. However, a review of the documentation demonstrates that as of the closing date, the appellant does not possess the requisite amount of supervisory experience. Supervisory experience is defined in the appropriate job specifications for supervisory titles as supervising work operations and/or functional programs and having responsibility for employee evaluation and for effectively recommending the hiring, firing, promoting, demoting, and/or disciplining of employees. A title whose job specification does not contain this clause or a reasonable variation thereof in the "Examples of Work" section is not considered a supervisory title. Therefore, any supervisory responsibilities that the appellant may have assumed while serving in the title of Program Coordinator, Mental Health would be considered out-of-title work and cannot be accepted as qualifying experience. Additionally, there is no basis on which to

accept the appellant's out-of-title work as the eligible list is complete. With regard to the appellant's argument that she was found eligible for an examination to a higher level title, the Commission notes that eligibility is determined on the basis of each discrete announcement. If the appellant does not meet the requirements for the current announcement, the fact that she was admitted an examination for a different title is compensated at a higher level does not provide her with an entitlement to eligibility in the instant matter.

**ORDER**

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 4th DAY OF APRIL , 2018



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